

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Berens et al.

Appln. No.: 09

Series Code ↑

852,053

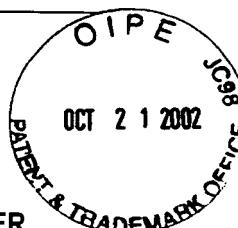
Serial No. ↑

Filed: May 10, 2001

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTER



Group Art Unit 1652

Examiner: Fronda, C. L.

Atty. Dkt. P 280248 | 000091BT

M# Client Ref

Appln. Title: Corynebacterium glutamicum strain with
enhanced secretion activity

Date: October 21, 2002

RECEIVED
OCT 22 2002
TECH CENTER 1600/2900

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim	For B & C See Required Separate Paper (Pat-256)	
A. <input checked="" type="checkbox"/> NOT made		
B. <input type="checkbox"/> Withdrawn		
C. <input type="checkbox"/> made herewith		

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	9	**minus 0	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	1	***minus 0	0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)		add	+ \$280/\$140 =	+ \$0		104/204
5. Original due Date: October 23, 2002	<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (4 mos) (5 mos)	\$110/\$55 = \$400/\$200 = \$920/\$460 = \$1,440/\$720 = \$1,960/\$980 =	+ \$0			115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract		- \$0				
8.			Extension Fee	+ \$0		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee		+ \$110/\$55	+ \$0			148/248
10. If IDS attached requires Official Fee under Rule 97 (c),	add	+ \$180	+ \$0			126
or if Rule 97(d) Request	add	+ \$180	+ \$0			126
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$740/370	+ \$0			146/246
12. No. of additional inventions for examination per Rule 129(b).....		x \$740/370 ea	+ \$0			149/249
13. Request for Continued Examination (RCE)		+ \$740/370	+ \$0			1179/1279
14. Petition fee for			+ \$0			
15.			TOTAL FEE =	\$0		
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".						
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.						
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.						
Our Deposit Account No. 03-3975 (Our Order No. 21123 280248 C# M#						PLEASE CHARGE OUR DEP. ACCT

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group
By Atty: Thomas A. Cawley, Jr.

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

BERENS et al.

Group Art Unit: 1652

Appln. No.: 09/852,053

Examiner: Fronda, C. L.

Filed: May 10, 2001

Title: *Corynebacterium glutamicum* strain with enhanced secretion activity

October 21, 2002

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RESPONSE TO RESTRICTION REQUIREMENT

Hon. Commissioner of Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

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#12
A.G.J
10/28/02

Sir:

This is in response to a communication from the examiner, dated September 23, 2002, wherein the examiner required restriction to one of the following allegedly distinct inventions:

Group I: Claims 1-8, directed to a genetically modified bacterial strain *Corynebacterium glutamicum*.

Group II: Claim 9, directed to a protein with the sequence of SEQ ID No.: 3 or SEQ ID No.: 4.

Group III: Claims 10-12, directed to a polynucleotide and plasmid.

Group IV: Claims 13-16, directed to the use of a bacterial strain for the production of the desired substance.

Group V: Claim 17, directed to the use of a bacterial strain, a protein, a polynucleotide or a plasmid in a reporter system.

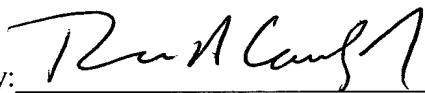
Group VI: Claims 18 and 19, directed to a reporter system.

ELECTION

The applicants elect, without traverse, for further prosecution on the merits the claims of Group I (claims 1-8).

Respectfully submitted,

PILLSBURY WINTHROP LLP

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